

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|                          |   |  |
|--------------------------|---|--|
| UNITED STATES OF AMERICA | ) | Criminal No. 22cr10037                           |
|                          | ) |  |
| v.                       | ) | Violation:                                       |
|                          | ) |  |
| JAMES P. McNULTY,        | ) | <u>Count One</u> : Dealing in Firearms Without a |
|                          | ) | License  |
| Defendant                | ) | (18 U.S.C. § 922(a)(1)(A))                       |
|                          | ) |  |
|                          | ) | <u>Forfeiture Allegation</u> :                   |
|                          | ) | (18 U.S.C. § 924(d); 28 U.S.C. § 2461(c))        |

INDICTMENT

COUNT ONE

Dealing in Firearms Without a License  
(18 U.S.C. § 922(a)(1)(A))

The Grand Jury charges:

At various times unknown to the Grand Jury, but from at least January 2021 until at least April 2021, in Truro, in the District of Massachusetts, and elsewhere, the defendant,

JAMES P. McNULTY,

not being a licensed importer, manufacturer, and dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, including by offering for sale and selling at least 55 firearms.

All in violation of Title 18, United States Code, Section 922(a)(1)(A).

FIREARM FORFEITURE ALLEGATION  
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

1. Upon conviction of the offense in violation of Title 18, United States Code, Section 922, set forth in Count One, the defendant,

JAMES McNULTY,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offense.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461.

A TRUE BILL

  
FOREPERSON

  
CHARLES DELL'ANNO  
ASSISTANT UNITED STATES ATTORNEY  
DISTRICT OF MASSACHUSETTS

District of Massachusetts: FEBRUARY 17, 2022  
Returned into the District Court by the Grand Jurors and filed.

/s/ Thomas F. Quinn Jr. 2/17/22 @ 3:40pm  
DEPUTY CLERK